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EPA - Office of Pesticide Programs (7504P)  
One Potomac Yard, Room S-4900  
2777 S. Crystal Drive  
Arlington, VA 22202

Attn: Venus Eagle,  
Product Manager Team 1  
Registration Division, Insecticide-Rodenticide

**Subject: Fast Track Label Amendment – response to Bradbury Letter**  
- **Merit 60 WSP Greenhouse and Nursery Insecticide (EPA Reg. No. 432-1361)**

September 27, 2013

Dear Ms. Eagle:

Bayer CropScience  
P. O. Box 12014  
2 TW Alexander Drive  
Research Triangle Park  
NC 27709  
Tel: 919 549-2000

This application for a Fast Track Label Amendment for Merit 60 WSP Greenhouse and Nursery Insecticide (Reg. No. 432-1361) is being submitted in response to the Agency letter (Bradbury to Registrants of Nitroguanidine Neonicotinoid Products) dated August 15, 2013.

With the Merit 2 Greenhouse and Nursery Insecticide (Reg. No. 432-1369) label serving as guide for previously agreed upon label revisions with the Agency, please refer to Attachment 1 for a detailed listing of the changes made to the enclosed label.

The following documents are enclosed in support of this application:

1. Completed EPA Form 8570-1
2. Electronic copy of the amended product label plus a copy with tracked revisions.

It should be noted that an electronic copy of the enclosed label was also previously sent to you for approval via e-mail.

Please do not hesitate to call (919-549-2428) or e-mail me ([norma.pangilinan@bayer.com](mailto:norma.pangilinan@bayer.com)), if you have any questions.

Sincerely,

BAYER ENVIRONMENTAL SCIENCE  
A DIVISION OF BAYER CROPSCIENCE

A handwritten signature in black ink, appearing to read "Norma C. Pangilinan".

NORMA C. PANGILINAN, Ph.D,  
Registrations Manager



United States  
Environmental Protection Agency  
Washington, DC 20460

☐ Registration  
☒ Amendment  
☐ Other

OPP Identifier Number

## Application for Pesticide - Section I

1. Company/Product Number 432-1361	2. EPA Product Manager Venus Eagle	3. Proposed Classification <input type="checkbox"/> None <input type="checkbox"/> Restricted
4. Company/Product (Name) Merit 60 WSP Greenhouse and Nursery Insecticide	PM# 1	
5. Name and Address of Applicant (Include ZIP Code) Bayer Environmental Science 2 T. W. Alexander Drive Research Triangle Park, NC 27709 <input type="checkbox"/> Check if this is a new address	6. Expedited Review. In accordance with FIFRA Section 3(c)(3) (b)(i), my product is similar or identical in composition and labeling to: EPA Reg. No. _____ Product Name _____	

## Section - II

<input checked="" type="checkbox"/> Amendment - Explain below.	<input type="checkbox"/> Final printed labels in response to Agency letter dated _____
<input type="checkbox"/> Resubmission in response to Agency letter dated _____	<input type="checkbox"/> "Me Too" Application.
<input type="checkbox"/> Notification - Explain below.	<input type="checkbox"/> Other - Explain below.

Explanation: Use additional page(s) if necessary. (For section I and Section II.)

Revise label in response to the Agency letter (Bradbury to Registrants of Nitroguanidine Neonicotinoid Products) dated August 15, 2013. Please refer to cover letter for list of detailed revisions to label.

## Section - III

1. Material This Product Will Be Packaged In:				2. Type of Container	
Child-Resistant Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Unit Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No	Water Soluble Packaging <input type="checkbox"/> Yes <input type="checkbox"/> No		<input type="checkbox"/> Metal	
				<input type="checkbox"/> Plastic	
				<input type="checkbox"/> Glass	
				<input type="checkbox"/> Paper	
* Certification must be submitted				<input type="checkbox"/> Other (Specify) _____	
	If "Yes" Unit Packaging wgt.	No. per container	If "Yes" Package wgt.	No. per container	
3. Location of Net Contents Information <input type="checkbox"/> Label <input type="checkbox"/> Container		4. Size(s) Retail Container		5. Location of Label Directions <input type="checkbox"/>	
6. Manner in Which Label is Affixed to Product <input type="checkbox"/> Lithograph <input type="checkbox"/> Paper glued <input type="checkbox"/> Stenciled			<input type="checkbox"/> Other _____		

## Section - IV

1. Contact Point (Complete items directly below for identification of individual to be contacted, if necessary, to process this application.)			
Name NORMA C. PANGILINAN		Title Manager, Registrations	
		Telephone No. (Include Area Code) 919-549-2428	
<b>Certification</b> I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.			6. Date Application Received (Stamped)
2. Signature 		3. Title Manager, Registrations	
4. Typed Name Norma C. Pangilinan, Ph.D.		5. Date September 27, 2013	

# Attachment 1

- Per Bradbury letter: (a) added Pollinator Protection Box; (b) added pollinator protection language under “Directions for Use”; and (c) replaced “visiting” with “foraging”.
- Changed: “vegetable plants” to “vegetable transplants” in several cases.
- Deleted: interior plant scrapes from label
- Changed: “CROPS” to “Site” or “Use Patterns”
- Changed: “should” to “will” or “must”
- Environmental Hazard
  - Changed: “Do not apply this product or allow it to drift to blooming crops or weeds if bees are visiting the treatment area. To “Do not apply this product or allow it to drift to blooming crops or weeds if bees are foraging the treatment area.”
- Product information
  - Added: “plants intended for resale (transplants)” to the first sentence under product information heading
  - Resistance
    - Deleted: “For resistance management purposes, a foliar application of any chloronicotinyl insecticide following with a Merit 60 WSP Greenhouse and Nursery Insecticide soil application in the same crop do not follow. is not recommended.”
    - Added: “For resistance management purposes, do not make a foliar application with any chloronicotinyl insecticide following a Merit 60 WSP Greenhouse and Nursery Insecticide soil application in the same crop.”
  - Mixing
    - Deleted: “Depending on the water temperature and the degree of agitation completely dissolve, the packets should be completely dissolved within a few minutes from the time they are added to the water. Cooler water temperatures increase the time needed for the inner packet to dissolve completely.”
    - Added: “Depending on the water temperature and the degree of agitation, the packets will completely dissolve within a few minutes from the time they are added to the water.”
- Directions for Use
  - Added: Bee language “for food crops and commercially grown ornamentals not under contract for pollination services but are attractive to pollinators”
  - Added: “See individual crops for specific pollinator protection application restrictions. If none exist under the specific crop, for outdoor foliar applications, follow these application directions for crops that are commercially grown ornamentals that are attractive to pollinators.” Statement
  - Moved: Storage and disposal box
  - Added: “DIRECTIONS FOR FOLIAR APPLICATION TO GRASSY AREAS OF NURSERIES” heading
    - Changed: “For optimum control, irrigation rainfall should occur within 24 hours after application to move the active ingredient through the thatch. Do not apply more than 1.6 pt (0.4 lb active ingredient) per year. Avoid mowing grass area

# Attachment 1

until after sufficient irrigation or rainfall has occurred so that uniformity of application will not be affected.” To “For optimum control, irrigate if rainfall does not occur within 24 hours after application to move the active ingredient through the thatch. Mow grass area only after sufficient irrigation or rainfall has occurred so that uniformity of application will not be affected. “

- Added: Restriction row with more restrictions
  - “Do not apply more than 10.7 oz (0.4 lb of active ingredient) per acre per year.”
  - “Do not allow this product to contact plants in bloom while bees are foraging the treatment area.”
  - “Do not graze treated areas or use clippings for treated areas for feed or forage.”
  - “Avoid runoff or puddling of irrigation water following application.”
  - “Do not apply Merit 60 WSP to soils which are water logged or saturated, which will not allow penetration into the root zone of the plants.
- Added: “DIRECTIONS FOR APPLICATIONS TO ORNAMENTALS AND VEGETABLE TRANSPLANTS” heading
  - Deleted: “For foliar and systemic insect control in and around field-grown nursery and container stock, indoor and outdoor ornamentals (including both greenhouses and interior landscapes), and ornamentals grown in flats, benches or beds, and vegetable plants for transplant and resale.”
  - Added: “For foliar and systemic insect control in and around field grown nurseries, outdoor containerized ornamentals, ornamentals grown in greenhouses and ornamentals grown in flats, benches or beds, for vegetable transplants and resale.”
  - Deleted: “For resistance management purposes, a Merit 60 WSP Greenhouse and Nursery Insecticide foliar application following a soil application in the same crop is not recommended.”
  - Added: “For resistance management purposes, do not make a foliar application with Merit 60 WSP Greenhouse and Nursery Insecticide following a Merit 60 WSP Greenhouse and Nursery Insecticide soil application in the same crop.” (made this change with Joe and Annette on phone)
  - Added: “Non-bearing fruit and nut trees are those trees that will not bear fruit or nuts for one year after application.”
  - Added: Restrictions section
    - “Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.”
    - “Do not apply more than 10.7 oz (0.4 lb of active ingredient) per acre per year”
- Added: “” to “ DIRECTIONS FOR DRENCH AND IRRIGATION APPLICATIONS”

# Attachment 1

- Added: “greenhouses and on nursery ornamentals and” to the only on ornamentals sentence
- Deleted: “ebb and flood irrigation” from “for use, only on ornamentals...” sentence
- Added: “Restriction for outdoor Use” row with one restrictions
  - “Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.”
  - Do not apply to soils which are water-logged or saturated, which will not allow the penetration of the insecticide into the root zone of the plants.
  - “Do not apply more than 10.7 oz (0.4 lb of active ingredient) per acre per year.”
- In an effort to improve clarity and ease of use of the label, Restrictions previously listed towards the end of the label and other appropriate pollinator restrictions were placed under specific use patterns.
- Added “DIRECTIONS FOR SOIL APPLICATIONS TO FIELD GROWN NURSERY STOCK” box.
- Changed: “SOIL INJECTION AND DRENCH APPLICATIONS FOR NURSERY, GREENHOUSE AND INTERIORESCAPE PLANTS to “DIRECTIONS FOR SOIL DRENCH AND SOIL INJECTION FOR TREES AND SHRUBS FOR NURSERY. GREENHOUSE”
  - Changed: “Flowers and Groundcover Pre-Planting for flowers and groundcovers” subheading to “Ground Treatment Pre-Planting for flowers and groundcover”
- Added: “Restriction for outdoor Use” row with one restrictions
  - For use only on non-bearing fruit and nut trees. Non-bearing fruit and nut trees are those trees that will not bear fruit or nuts for one year after application.
  - Do not apply to soils which are water-logged or saturated, which will not allow the penetration of the insecticide into the root zone of the plants.
  - “Do not apply more than 10.7 oz (0.4 lb of active ingredient) per acre per year.”
- Added “Do not allow leachate run out for first 10 days after application, in order to retain the product and facilitate full plant uptake of the active ingredient. “
- Changed: “MERIT 60 WSP EBB & FLOOD APPLICATIONS” heading to “DIRECTIONS FOR EBB AND FLOOD APPLICATIONS IN GREENHOUSE AND NURSERIES”
- Added: “Restriction for outdoor Use” row with one restrictions
  - “Follow application restrictions FOR COMMERCIALLY GROWN ORNAMENTALS NOT UNDER CONTRACT FOR POLLINATION SERVICES BUT ARE ATTRACTIVE TO POLLINATORS indicated on page [x] to protect bees and other insect pollinators.”
  - “Do not apply more than 10.7 oz (0.4 lb of active ingredient) per acre per year.”